

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on April 6, 2011 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Jim Shockley, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Jeff Essmann (R)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Jim Peterson (R)

Members Excused: Sen. Chas Vincent (R)

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 518, 3/28/2011; HB 638, 3/28/2011, HB 534, 3/28/11

HEARING ON HB 518

Opening Statement by Sponsor:

00:02:42 Rep. Chuck Hunter (D), HD 79, opened the hearing on HB 518, Create a mental health care advance directive.

[EXHIBIT\(jus77a01\)](#)

Proponents' Testimony:

00:06:13 Anita Roessmann, attorney, Disability Rights Montana (DRM)

[EXHIBIT\(jus77a02\)](#)

[EXHIBIT\(jus77a03\)](#)

[EXHIBIT\(jus77a04\)](#)

00:14:40 Jenny Kelly, self, employee, Center for Mental Health, Helena, Montana, certified evaluator for mental illness issues/crisis

00:17:29 Chris Hartzmann, self, Troy, Montana, consumer advocate, treasurer, Mental Health Center/Lincoln County

00:20:19 Michael Caruso, self

00:22:29 Michelle Lewis, self, mental health advocate, facilitator, Wellness Recovery Action Planning (WRAP)

[EXHIBIT\(jus77a05\)](#)

00:26:42 Michael Smith, self

[EXHIBIT\(jus77a06\)](#)

00:29:10 Kathy McGowan, Eastern Montana Mental Health Center (EMTMHC), National Association of Social Workers/Montana Chapter (NASW/MT), Western Montana Mental Health Center (WMTMHC), Center For Mental Health (CMH)

00:30:12 Chet Dever, counselor, Center for Mental Health, Helena, Montana

00:33:40 Dan Aune, Mental Health America/Montana

[EXHIBIT\(jus77a07\)](#)

00:34:47 Aimee Grmoljez, Billings Clinic

00:35:42 Matt Kuntz, Executive Director, National Alliance for Mental Illness (NAMI)

00:36:47 Jon Metropoulos, Anaconda Work and Residential Enterprises (AWARE), Anaconda, Montana

00:37:17 Barb Swehla, Montana Nurses Association (MNA)

00:38:18 Gary Spaeth, Montana Psychological Association (MPA)

00:38:51 Margaret Morgan, Licensed Professional Clinical Counselors/Montana (LPCC/MT)

00:39:09 Mike Foster, St. Patrick's Hospital, Missoula, Montana

Opponents' Testimony:

00:39:40 Donald Harr, psychiatrist, Billings, Montana, also member, Montana Psychiatrist Association (MPA)

Informational Testimony:

00:45:52 Eric MacLean, Montana Medical Association (MMA)

Questions from Committee Members and Responses:

00:46:16 Sen. Blewett
 00:47:00 Rep. Hunter
 00:47:10 Sen. Moss
 00:47:33 Rep. Hunter
 00:48:03 Sen. Moss
 00:48:11 Ms. Roessmann

Closing by Sponsor:

00:50:23 Rep. Hunter

HEARING ON HB 638 and HB 534

Opening Statement by Sponsor:

00:51:38 Rep. David Howard (R), HD 60, opened the hearing on HB 638, Referendum to require proof of citizenship to receive state service. Rep. David Howard (R), HD 60, also opened the hearing on HB 534, Require proof of citizenship to receive state services.

[EXHIBIT\(jus77a08\)](#)

[EXHIBIT\(jus77a09\)](#)

Proponents' Testimony:

00:55:08 Roger Nummerdor, self
 00:59:04 Patrick McCain, self
 01:00:03 Clarence Getz, self

Opponents' Testimony:

01:00:35 Beth Brenneman, attorney, Disability Rights Montana (DRM)
[EXHIBIT\(jus77a10\)](#)
[EXHIBIT\(jus77a11\)](#)
 01:06:29 Matt Kuntz, Executive Director, National Alliance for Mental Illness (NAMI)
 01:08:08 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
 01:09:44 Travis Hoffman, Montana Centers for Independent Living (MCIL)
 01:11:48 Barb Swehla, Montana Nurses Association (MNA)
 01:12:11 Hank Hudson, Department of Public Health and Human Services (DPHHS)
 01:13:30 Kristina Davis, Director, Children's Defense Fund (CDF)
 01:14:58 Deborah Smith, attorney, professor, Immigration Law, University of Montana, American Association of Immigration Attorneys (AAIA)
 01:20:52 Jamee Greer, Montana Human Rights Network (MHRN)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:23:09 Sen. Moss
01:24:17 Rep. Howard
01:26:35 Sen. Larsen
01:27:10 Ms. Smith

Closing by Sponsor:

01:32:32 Rep. Howard
01:35:20 Chairman Murphy

ADJOURNMENT

Adjournment: 10:37 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus77aad.pdf](#))